IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINETEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

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WRIT PETITION NO : 14761 of 2004

Between:

Chittem Subbamma, w/o Sri Konda Reddy,
Varalaxmi Self Help Group, Ankanagodugunur, B.Kodur Mandal,
Kadapa District.

..... PETITIONER

AND

1 The Mandal Revenue Officer, B.Kodur Mandal, Kadapa District.
2 The Gram Panchayat, rep., by its Sarpanch, Mekavaripalli B.Kodur Mandal, Kadapa District.
3 Smt.M.Gurramma, w/o Sri Subbaiah, A.Godugunur, B.Kodur Mandal, Kadapa District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction more in the nature of writ of mandamus declaring the action of the first respondent in appointing the third respondent as Implementing Agency for Mid-Day Meal Programme at M.P.elementary School, A.Godugunur vide proceedings Ref.A/153/2003 dated 15-07-2004 as illegal, arbitrary and against the guidelines issued in GO.Ms.No.94 Education (SE-PROG.1) Department dated 25-11-2002 after calling for the records and consequentially direct the first respondent to continue the petitioner as Implementing Agency for implementing the Mid-Day Meal Programme at Mandal Parishad Elementary School, A.Godugunur, B.Kodur Mandal, Kadapa District.

Counsel for the Petitioner:MR.P.V.S.S.S.RAMA RAO

Counsel for the Respondent No.1: GP FOR REVENUE

Counsel for the Respondent No.2: MR. D.SRINIVAS, Standing Counsel for Gram Panchayats

Counsel for the Respondent No.3: ____

The Court at the stage of admission made the following ORDER:

The services of the third respondent, who was earlier appointed as an Implementing Agency to implement the Mid-Day Meal Programme at A.Godugunur Village, M.P.P. Elementary School, were stopped by appointing the petitioner as an Implementing Agency on 22-05-2004. Again, by proceedings dated 15-07-2004, the services of the petitioner were stopped and entrusted the same to the third respondent, which is contrary to the guidelines issued in G.O.Ms.No.94, dated 25-11-2002.

The learned counsel for the petitioner contends that earlier, the services of the third respondent were stopped and appointed the petitioner and again, entrusting to the third respondent stopping the services of the petitioner is illegal and arbitrary and the same is not in accordance with the guidelines referred to above.

It is not in dispute that the District Collector, Kadapa is the competent authority in implementing of Mid-Day Meal Programme in the district in accordance with the guidelines issued in this behalf.

In view of the same, the petitioner can approach the District Collector, Kadapa, by making a representation within a period of two weeks and on making such representation, the District Collector shall consider the same after due notice to the parties and pass appropriate orders in accordance with law.

The writ petition is accordingly disposed of. No costs.

19th AUGUST, 2004.

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To

1 The Mandal Revenue Officer, B.Kodur Mandal, Kadapa District.
2 The Gram Panchayat, rep., by its Sarpanch, Mekavaripalli B.Kodur Mandal, Kadapa District.
3 Two CCs to the Government Pleader for Revenue, A.P. High Court Buildings, Hyderabad.(OUT)

4 Two CD copies.